

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

THOMAS A. ELLINGTON, JR.

Petitioner

v.

GRADY MASSEY

Respondent

Judgment in a Civil Case

Case Number: 5:10-HC-2213-FL

Decision by Court.

This action came before the Honorable Louise Wood Flanagan, Chief United States District Judge, for consideration of the respondent's motion to dismiss.

IT IS ORDERED AND ADJUDGED that respondent's motion to dismiss is granted and this action is hereby dismissed without prejudice for failure to exhaust state remedies.

This Judgment Filed and Entered on July 7, 2011, with service on:

Thomas A. Ellington, Jr. 0119802, Caledonia Correctional Center, P.O. Box 137, Tillery, NC 27887(via U.S. Mail)

Clarence J. DelForge (via CM/ECF Notice of Electronic Filing)

July 7, 2011

/s/ Dennis P. Iavarone

Clerk

Raleigh, North Carolina